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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/597,112

08/15/2006

Takashi Tanaka

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EXAMINER

LABBEES, EDNY

ART UNIT

PAPER NUMBER

2612

NOTIFICATION DATE

DELIVERY MODE

07/14/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
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Office Action Summary	Application No.		Applicant(s)	
	10/597,112		BOWMAN ET AL.	
	Examiner		Art Unit	
	EDNY LABBEES		2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/12/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/04/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status Of Claims

1. The application was filed on 8/15/2006 and claims foreign priority which was filed on 1/13/2004. Claims 1-7 are currently pending in the application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "said IC tag" in line 3. There is insufficient antecedent basis for this limitation in the claim. Applicant discloses "IC tags" indicating a plurality of tags. However, applicant discloses "said IC tag" indicating only 1 tag, thus having insufficient antecedent basis.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lareau et al. (US 6,972,682) [**first embodiment**] in view of Lareau et al. [**different embodiment**] and further in view of Bledsoe (US 5,742,237).

Regarding Claim 1, Lareau discloses *Monitoring And Tracking Of Assets By Utilizing Wireless Communications* that has the following claimed limitations:

The claimed system for location recognition using IC tags, wherein an interrogator makes a first communication with multiple IC tags in a communication area A by radio and at the same time, said IC tag makes a second communication with other IC tags existing in a communication area B (<A) by probe signals is met by the asset monitoring system (100) that includes at least a first monitoring station (RMS) (150) that includes a wireless transceiver communicating with various assets dispersed throughout the facility wherein the tags (110,120,130) are coupled to the various assets. Each tag is configured to wirelessly communication with other tags and any RMS within a determined proximity (See Col. 6 Ins 20-50). In addition, based on the illustrations of figure 2, examiner interprets the figure as the RMS (150) communication with the tags (110,120,130) in an area A. The tags communicate with each other in an area B and as shown in figure 2, area B, wherein the tags communicates with each other is less than area A.

Claimed first response means for responding own information X to the interrogator is met by the system (100) that facilitates communication from the tag (110) to the RMS (150) only after the RMS (150) has requested a communication (See Col. 7 Ins 3-7); claimed transmission means for sending out said probe signals to the other IC

tags and a reception means for receiving probe signals sent out by the other IC tags is met by the system of Lareau wherein the tags relay communication with other tags in the facility (See Col. 7 Ins 7-21). This embodiment of Lareau do not specifically disclose a storage means for storing information Y of a source IC tag in a memory when reception strength of said probe signal is more than a predetermined level, and, a second response means for responding the information Y of the source IC tag stored in the memory to the interrogator. However, Lareau discloses in a different embodiment, wherein a wireless RFID tag (400) is coupled to an asset that is to be tracked and monitored (See Col. 12 Ins 63-67). The tag (400) includes a processing device (420), memory (410), a transceiver (450) and other electronic components. In addition, a variety of sensors (442, 444, 446 and 448) may be configured with the tag (400) and may be considered as components of the tag (400) (see Col. 13 Ins 9-26 and Col. 14 Ins 57-62). Therefore it would have been obvious to one of ordinary skill in the art to incorporate the different embodiment of Lareau into the first embodiment of Lareau to store the store the information so that the asset being tracked can be easily identified when read.

Furthermore, carious sensor parameters are stored in the memory (410) to help operate the sensors, wherein the parameters can include threshold limits. The sensors can monitor a variety of parameters, including temperature and electromagnetic radiation, but does not specifically discloses measurement of reception strength. However, signal strength is a form of electromagnetic radiation. Blesode discloses *Tag Location Monitor* that teaches a system that relates to a tag location system for tracking

the location of items marked with a tag, wherein the system comprises one or more monitors (15) and one or more tags (13) on an object (19). Each individual monitor (15) can get a rough idea of how far away a particular tag (13) is by the strength of the received radio signal (21) (See Col. 6 Ins 23-29). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Blesode into the system of Lareau to determine the position of the tag based on signal strength, as an alternative to the sensor parameters of Lareau.

Furthermore, claimed second response means for responding the information Y of the source IC tag stored in the memory to the interrogator, whereby relative position of IC tags are recognized from the information X and the information Y collected via the interrogator is met by the system of Lareau wherein upon a command from the RMS, the data, such as the sensor readings and threshold exceedances can be communicated by to the RMS to determine location of the tags (400) (See col. 15 Ins 52-59).

Regarding Claim 3, Lareau discloses a system wherein the size of the network of tags is limited only by the number and spacing of the tags in the network. Provided there are enough intermediate tags to relay the signals, there is no maximum distance a destination tag must be from the RMS (150) (See Col. 8 Ins 7-19). Because of that, as more intermediate tags and RMS's are present, the signals will not be weakened due to the distance between the tags.

Regarding Claim 4, Lareau discloses a system wherein the monitoring system (100) can be implemented in the storage facility (70). the storage facility (70) could

contain hundreds or thousands of assets dispersed throughout the facility and that the system is designed to facilitate the most complex layouts of the storage facility (70) (See col. 6 lns 4-18).

Regarding claim 5, Lareau discloses a system wherein the RMS (150) can transmit a downstream communication to the destination tag (110) wherein the downstream communication is relayed from a first tag to a second tag and son (see col. 7 lns 17-30).

Regarding Claim 6, Lareau discloses a system wherein the tag can reply with upstream communication to the RMS (150) (see col. 7 lns 17-30).

Regarding Claim 7, the claim is interpreted and rejected as claim 1 stated above.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lareau et al. [**first embodiment**], Lareau et al. [**different embodiment**] and Bledsoe and further in view of Lastinger et al. (US 2003/0030568).

Regarding Claim 2, the combination of Lareau and Bledsoe do not specifically discloses wherein any of the combinations having one side of information in common are joined so that locations and arrangements order of the IC tags are specified. However, Lastinger discloses *Wireless Identification Systems And Protocols* that teaches a system comprising one or more tags (130) and one or more locators (110,120) and one or more monitors (140). Locators (110,120) serve the function of broadcasting transmissions, including location information, in an area to be monitored. Tags (130) serve the purpose of receiving information broadcast from the locators

(110,120) and broadcasting their own transmissions including the location identification information received from the locators (110,120). Monitors (140) serve the purpose of receiving broadcasts from tags (130) or other transmit devices such as locators (110, 120). Each locator has a zone (111,121) for which it is to broadcast a unique locator ID associated therewith. If a tag is present in a zone (111) or zone (121) the tag receives the locator broadcast from each respective locator. If tag falls in an area of overlap of two or more zones, one or more messages may include both locator IDs for respective locators (110 and 120). In this manner, processor (150) can locate tag with increase accuracy because of the limited area of overlap between zone one and zone two (see paras [0026 - 0038]). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Lastinger into the system(s) of Lareau and Bledsoe so that accurately determine the location of a tag when they overlap zones.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDNY LABBEES whose telephone number is (571)272-2793. The examiner can normally be reached on M-F: 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Edny Labbees
7/3/2008

/Jeff Hofsass/
Supervisory Patent Examiner, Art Unit 2612